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5 **IN THE UNITED STATES DISTRICT COURT**
6 **FOR THE EASTERN DISTRICT OF CALIFORNIA**
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8 THADDEUS WATERBURY,

CASE NO. CV-F-02-6162 LJO

9 Plaintiff,

ORDER TO PLAINTIFF TO SHOW CAUSE

10 vs.

11 ANN VENEMAN, Secretary of
the U.S. Department of Agriculture,

12 Defendant.
13 _____/

14 Pursuant to this Court's September 29, 2006 order setting a status conference, this matter came
15 on for a status conference on October 16, 2006 regarding dismissal of this action following
16 settlement. Plaintiff and counsel, however, failed to appear at the conference and have failed to dismiss
17 this action.

18 Accordingly, this Court SETS a hearing for October 30, 2006 at 9:00 am. in Department 8, and
19 ORDERS plaintiff to show cause, in writing, no later than October 23, 2006 why monetary sanctions
20 should not be imposed and this action should not be dismissed for failure to comply with this Court's
21 orders. Plaintiff's counsel may appear at the hearing by telephone by calling 559-499-5680. No
22 appearance by defendant is necessary. If the dismissal is filed prior to October 23, 2006, this Order to
23 Show Cause will be vacated.

24 **Plaintiff is admonished that failure to timely comply with this order will result in monetary**
25 **sanctions and dismissal of this action.**

26 IT IS SO ORDERED.

27 **Dated: October 16, 2006**
b9ed48

/s/ Lawrence J. O'Neill
UNITED STATES MAGISTRATE JUDGE